

Bang, Jun S.

From: Bang, Jun S.
Sent: Monday, June 13, 2016 11:56 AM
To: 'Ron Mason'; Aaron Tulencik
Cc: Fernandez, Susan E.; Gleine, Gregory
Subject: RE: Production of Documents and Witness Testimony

The Employer can file its Motion and the Region will respond accordingly.

Thanks,

Jun Bang

From: Ron Mason [mailto:rmason@maslawfirm.com]
Sent: Monday, June 13, 2016 11:37 AM
To: Bang, Jun S. <Jun.Bang@nlrb.gov>; Aaron Tulencik <atulencik@maslawfirm.com>
Cc: Fernandez, Susan E. <Susan.Fernandez@nlrb.gov>; Gleine, Gregory <Gregory.Gleine@nlrb.gov>
Subject: RE: Production of Documents and Witness Testimony

Well, since I told you my client cannot get it done by the 15th, and you appear to insist upon something my client says cannot happen, I am now forced to get the Federal Court involved in something as trivial as a two week extension.

Therefore, I will file a motion for a two week extension and advise the Court the NLRB objects for no reason other than the Judge's original order said June 15, 2016.

If there is another basis, then give it to me now.



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From: Bang, Jun S. [mailto:Jun.Bang@nlrb.gov]
Sent: Monday, June 13, 2016 10:02 AM
To: Ron Mason; Aaron Tulencik
Cc: Fernandez, Susan E.; Gleine, Gregory
Subject: RE: Production of Documents and Witness Testimony

The Court issued the Order with the production due date of June 15, 2016. The Region's position requesting the Employer to comply with the Order remains unchanged.

Thanks,

Jun Bang

From: Ron Mason [<mailto:rmason@maslawfirm.com>]
Sent: Wednesday, June 08, 2016 6:14 PM
To: Bang, Jun S. <Jun.Bang@nlrb.gov>; Aaron Tulencik <atulencik@maslawfirm.com>
Cc: Fernandez, Susan E. <Susan.Fernandez@nlrb.gov>; Gleine, Gregory <Gregory.Gleine@nlrb.gov>
Subject: RE: Production of Documents and Witness Testimony

Are you really going to make me file a Motion with the Court for a two week extension of time?



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From: Bang, Jun S. [<mailto:Jun.Bang@nlrb.gov>]
Sent: Wednesday, June 8, 2016 1:40 PM
To: Ron Mason; Aaron Tulencik
Cc: Fernandez, Susan E.; Gleine, Gregory
Subject: RE: Production of Documents and Witness Testimony

Ron,

Judge Helmick's Order gave Midwest until June 15, 2016 to produce the requested documents. I am available next Monday or Wednesday to schedule Chris Blakely's affidavit and the production of documents in connection with the Order. Please let me know by close of business tomorrow which date works for the Employer.

Thanks,

Jun Bang
Field Attorney
National Labor Relations Board
1240 East 9th Street
Room 1695
Cleveland, OH 44199
(216) 522-8185
(216) 522-2418 facsimile

From: Ron Mason [<mailto:rmason@maslawfirm.com>]
Sent: Wednesday, June 08, 2016 6:45 AM
To: Bang, Jun S. <Jun.Bang@nlrb.gov>; Aaron Tulencik <atulencik@maslawfirm.com>
Cc: Fernandez, Susan E. <Susan.Fernandez@nlrb.gov>; Gleine, Gregory <Gregory.Gleine@nlrb.gov>
Subject: RE: Production of Documents and Witness Testimony

I have waited to confirm the deposition dates until after I was certain we could produce the documents by June 15, 2016.

I have been in conversation with my client regarding its production of the documents.

The simple fact is that my client will need an additional two weeks to gather up all the documents.

I assume that you want the documents before you depose my clients. Right now I have availability in July after July 12, 2016.

Give me several dates that fits your calendar and I will match them up with my client's availability and we can get these scheduled.



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From: Bang, Jun S. [<mailto:Jun.Bang@nlrb.gov>]
Sent: Wednesday, June 1, 2016 11:13 AM
To: Ron Mason; Aaron Tulencik
Cc: Fernandez, Susan E.; Gleine, Gregory
Subject: Production of Documents and Witness Testimony

Ron,

The document production deadline of June 15th is two weeks away and I still have not heard back from you addressing the questions outlined in my May 13th email. I also have not received a response confirming the availability of Alex Johnson and Terry Leach for their subpoenaed testimony on June 20th, 22nd, 27th or the 29th.

Please provide a response by Wednesday, June 8th addressing the questions outlined in the May 13th email. Please be advised that if no response is received by next Wednesday, the Region will contact the Court for assistance.

Thanks,

Jun Bang
Field Attorney
National Labor Relations Board
1240 East 9th Street
Room 1695
Cleveland, OH 44199
(216) 522-8185
(216) 522-2418 facsimile

From: Bang, Jun S.

Sent: Monday, May 23, 2016 10:29 AM

To: 'Ron Mason' <rmason@maslawfirm.com>

Cc: Aaron Tulencik <atulencik@maslawfirm.com>; Fernandez, Susan E. <Susan.Fernandez@nlrb.gov>; Gleine, Gregory <Gregory.Gleine@nlrb.gov>

Subject: RE: Production of Documents

Ron,

Please find attached a revised medical release authorization executed by Sims per the Employer's request. Please provide a response to the Region's outstanding inquiries regarding document production and witness testimony. Please also confirm the availability of Alex Johnson and Terry Leach on any of the four dates provided in June (20, 22, 27, or 29).

Thanks,

Jun Bang

Field Attorney
National Labor Relations Board
1240 East 9th Street
Room 1695
Cleveland, OH 44199
(216) 522-8185
(216) 522-2418 facsimile

From: Ron Mason [<mailto:rmason@maslawfirm.com>]

Sent: Wednesday, May 18, 2016 2:08 PM

To: Bang, Jun S. <Jun.Bang@nlrb.gov>

Cc: Aaron Tulencik <atulencik@maslawfirm.com>; Fernandez, Susan E. <Susan.Fernandez@nlrb.gov>; Gleine, Gregory <Gregory.Gleine@nlrb.gov>

Subject: RE: Production of Documents

I noticed in the signed release, speaks to any charge against the employer (8-CA-158778 filed on 8-26-15) Midwest.

Sims has another charge (8-CB-158776) filed on 8-26-15 about the same incident filed against the union.

The release does not speak to the charge against the union even though it is quite apparent that a substantial amount of the documents pertain more to the charge against the union than the company.

Please have the release either eliminate the qualifier or include the Union Charge as well.

This is a HIPPA protection from a release and we do not want a qualifier that somehow gets back to us that we should not have released some of the documents.

Thank you.



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From: Bang, Jun S. [<mailto:Jun.Bang@nlr.gov>]
Sent: Wednesday, May 18, 2016 1:47 PM
To: Ron Mason
Cc: Aaron Tulencik; Fernandez, Susan E.; Gleine, Gregory
Subject: RE: Production of Documents

Ron,

Please find attached the medical release for Ray Sims. Please let me know if you have answers to the questions outlined in my May 13th email concerning document production and dates for witness testimony.

Thanks,

Jun Bang

From: Ron Mason [<mailto:rmason@maslawfirm.com>]
Sent: Friday, May 13, 2016 4:41 PM
To: Bang, Jun S. <Jun.Bang@nlr.gov>
Cc: Aaron Tulencik <atulencik@maslawfirm.com>; Fernandez, Susan E. <Susan.Fernandez@nlr.gov>; Gleine, Gregory <Gregory.Gleine@nlr.gov>
Subject: RE: Production of Documents

Please send to me the Medical Release for Ray Sims.



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From: Bang, Jun S. [<mailto:Jun.Bang@nlr.gov>]
Sent: Friday, May 13, 2016 3:17 PM
To: Ron Mason
Cc: Aaron Tulencik; Fernandez, Susan E.; Gleine, Gregory
Subject: RE: Production of Documents

Ron,

During the conference call with Judge Helmick this morning, the Employer agreed to comply with all three subpoenas duces tecum and the two subpoenas ad testificandum in lieu of the hearing scheduled for June 3, 2016. Since the Employer requested 30 days to prepare for the document production, the Judge ordered that Chris Blakely appear and produce the requested documents at the Regional Office in all three cases on June 15, 2016. You did not mention Blakely's surgery during the conference call with the Judge or that it could delay production. Before the Region can respond with respect to the change in location of the document production, please provide the following information:

- 1) When will Chris Blakely be able to travel to the Regional office after his surgery with the documents?
- 2) Would the Employer agree to provide the documents on June 15, 2016 at the Regional office and then make Chris Blakely available after his surgery to answer questions concerning the document production?
- 2) If the document production occurred at the Regional Office, the Region would have been able to promptly make copies of the documents produced. If the Region agrees to change the location of the document production to Midwest, will the Employer have copies of the documents readily available on June 15th for the Region to take back to the Regional office that day?

As you know, I also requested that Alex Johnson and Terry Leach be available in June for their testimony pursuant to subpoena during the conference call. Please confirm whether Alex Johnson and Terry Leach are available on any of the following dates for their testimony at the Regional office: June 20th or 22nd, June 27th or 29th.

Thanks,

Jun Bang

From: Ron Mason [<mailto:rmason@maslawfirm.com>]
Sent: Friday, May 13, 2016 1:22 PM
To: Bang, Jun S. <Jun.Bang@nrlb.gov>
Cc: atulencik@maslawfirm.com
Subject: Production of Documents

Chris Blakely is scheduled for surgery June 16 and cannot walk great distances before the surgery.

Therefore, unless you want to wait until after he recovers, you are going to have to travel to Toledo for the documents.

I'll let you know how the production is coming along.



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